

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Musikla Banty Flennoy**
Docket No. **263299**
L.C. No. **05-400462-FH**

E. Thomas Fitzgerald, Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The claim of appeal is **DISMISSED** for lack of jurisdiction because the judgment of sentence was not a final order at the time that the claim was filed. If an appellant files a motion for a new trial, the finality of the order is suspended until the trial court denies that motion. An appeal as of right may then be claimed from the final order after entry of the order denying the motion. See MCR 6.425(F)(1)(a). A claim of appeal that is filed before the entry of the denial order is a premature claim.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JUL 20 2005

Date

Sandra Schultz Mengel

Chief Clerk